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COUNTY OF SUFFOLK



STEVE BELLONE
SUFFOLK COUNTY EXECUTIVE

DENNIS M. BROWN
COUNTY ATTORNEY

DEPARTMENT OF LAW

June 25, 2018

DONALD J. GUICHARD
Suffolk County Correctional Facility
110 Center Drive
Riverhead, New York 11901

Re: Guichard v. County of Suffolk, et al.

Dear Sir/Madam:

We are in receipt of your Notice of Claim. The Notice of Claim does not comply with Section 50(e) of the General Municipal Law of the State of New York, for the reason(s) set forth below.

The Notice of Claim was not served upon any of the entities or parties designated for service by the General Municipal Law.

The Notice of Claim was not served within (90) days of the date of the alleged incident.

Please proceed accordingly.

Very truly yours,

Dennis M. Brown
Suffolk County Attorney

Susan A. Flynn, Bureau Chief
Litigation Bureau

SAF/msg
Encl.

COUNTY OF Suffolk
SUPREME COURT — CIVIL TERM

6/20/18
OTCF (M. S. 2001)
Copy to case file
B-14-18

In the Matter of Claim of: DONALD J GUICHARD

- against -

NOTICE OF INTENTION
TO FILE A CLAIM

Suffolk County Sheriff 10 John Does & 10 Jane Does in their
Correctional Facility x ~~Individual~~ Individual & official
TO: THE COUNTY ATTORNEY OF Suffolk COUNTY Capacities
THE CLERK OF THE COURT OF Suffolk COUNTY

SIRS:

PLEASE TAKE NOTICE, that the claimant herein hereby makes claim and demand
against Suffolk County Sheriff Correctional Facility as follows:

1. The name and post office address of the claimant herein is: 110 Center Dr Riverhead NY 11901
2. The nature of the claim is: I had my property taken from me & violently throughout & reduced by 75% including my Bible put in Sally port handcuffed & beaten drag to holding cell had head smashed into cement wall, neck, wrist, L leg & right arm not the same any more vision also effect & mental state
3. The time when, and the place where and the manner in which the claim arose: 013/19/2018 22:15 hrs South 3 Bunk 34 down hall-way & holding cell
4. The items of damage and injuries claimed are See Attachment. Also inadequate medical care 7 weeks to get crutches denied outside care & mir

That said claim and demand is hereby presented for adjustment and payment. PLEASE
TAKE FURTHER NOTICE that by reason of the premises, in default of the county of

Suffolk

Suffolk

to pay the claimant his claim within the time limited for
compliance with this demand by said County of Suffolk by
statutes in such cases against the Suffolk County Correctional Facility
to recover his damages with interests and costs.

Don J. Guichard
Claimant

Sworn to before me this

17th day of May 2018

RECEIVED BY INTERNAL AFFAIRS

DATE 6/19/18 TIME 1:46

NAME AND TITLE OF SERVER JULIE C. MILLICA

EMPLOYED BY/SERVING AGENCY N/A

ADDRESS: 16 TARKALL TRL RIVERHEAD NY 11901

AMOUNT OF FEE RECEIVED, IF ANY N/A

PRINTED NAME AND OFFICIAL SIGNATURE OF PERSON SERVED

10 SW. MICHAEL L. GUICHARD

C/O SW

STEVEN E HORTON
NOTARY PUBLIC STATE OF NEW YORK
SUFFOLK COUNTY
LIC. # 01H08358429
COMM. EXP. 05/08/2021

injured right arm past its capabilities and I yelled from the pain that I am not resisting and that I need two hand cuffs. The officer then said "Fuck You, stop resisting" I told him that I'm not. Then the white ^{SERT} officer slammed my face into the plexi-glass injuring my neck and fore head. Then they hand cuffed my left hand. Both officers grabbed my thumbs and bent them back to my fore arm and lifted me off the ground as we walked with both hands making it a struggle for me to walk. I yelled in excruciating pain since the way that they lifted my body weight using my thumbs for leverage and pulling my wrist up towards my shoulder blades. This is a banned maneuver by the Geneva conventions and I was thrown into a cell head first and told to kneel on the bench. The white officer then said "quit resisting" and slammed my head on to the wall when he took my ^{left} cuff off he put my left arm above my head and said "quit resisting", I stated that I am suffering from paralysis. The same problem happened with my right arm but since it was slower they punched me in my lower back kidney area. Then they left. When I regained my composure I stated to a Sergeant that "I need medical attention" I was brought to medical where the doctor asked me to explain why I punched a wall; I stated that I had not but that those officers had beat me. Then the white ^{SERT} officer yelled to me to "Shut the fuck up" on several occasions. I asked ~~for~~ to be sent out to the hospital for an "MRI" and I was denied and told that I could not even get an x-ray till Wednesday ^{or} Thursday. They gave me two ineffective motion pills. Then I was placed

INMATE
COPY

SHERIFF'S OFFICE

2018 MAR 26 A 10:01

me causing the dorm to get a "Shake down". So I went back to the officer and informed him about how the other inmates felt that the officer will think that they were causing me problems. The officer then ordered me to get in the top bunk, so I ~~told him~~ respectfully told him that I am unable to climb to the top bunk today tomorrow or ever. Please refer to audio-video tape because I was standing right under the camera. I never raised my voice or cursed ever and I thought me and him had a very good relationship, but he exploded and demanded my property. I had two full plastic bags full of property and the officer reduced all my belongings to a one-third size. The officer opened a tied bag of toiletries and broke the lid off the Shampoo bottle and ^{mouth} ~~and~~ ^{and mouthwash} poured Shampoo all over my clothes, bedding, legal notes and legal court documents. He threw out my bible and books / novels / magazine. It is a Federal violation to throw someone's bible away. Then I was ordered to go in the Sally port and to put both of my arm up on the wall. After a few moments I was grimacing in pain due to my previous medical issues. Due to the pain I put my right arm down and I glanced at the officer and at no time did I make any hand gestures or any verbal contact ~~with~~ ^{to} him. Then the Suffolk Emergency Response Team (SERT) officers came in. The black officer started "Young, it's you!" and turned my

INITIAL
COPY

bedding;

In a holding cell. They removed all blankets and covers from the cell and told me to sleep on the cold cement. Please see the video. At a later time I was moved to "A-Pool". The black Sgt officer was being racist by calling me a "piece of white dog shit" in a threatening manner.

SHERIFF'S OFFICE

200 MAR 26 A 10:01

On March 19 2018 I arrived at
Yaphank correctional I was housed
at B3 & told my bunk was number

I observed it was a top bunk so
I returned to officer & informed him
I couldn't climb to up because of
limited mobility. He told me
get the fuck up there I stated I
couldn't could I sleep on the floor,
he said yes I placed a mattress
on the floor & was starting to
make the bed & two inmates
stated the guards might think
they pushing up on me